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SENATE BILL 5792

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State of Washington

58th Legislature

2003 Regular Session

By Senators Benton and Prentice

Read first time 02/12/2003. Referred to Committee on Financial Services, Insurance & Housing.

1 AN ACT Relating to criteria that describes when rate increases  
2 filed by insurers are not excessive; and amending RCW 48.19.060.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 48.19.060 and 1997 c 428 s 4 are each amended to read  
5 as follows:

6 (1) The commissioner shall review a filing as soon as reasonably  
7 possible after made, to determine whether it meets the requirements of  
8 this chapter.

9 (2) Except as provided in RCW 48.19.070 and 48.19.043:

10 (a) No such filing shall become effective within thirty days after  
11 the date of filing with the commissioner, which period may be extended  
12 by the commissioner for an additional period not to exceed fifteen days  
13 if he or she gives notice within such waiting period to the insurer or  
14 rating organization which made the filing that he or she needs such  
15 additional time for the consideration of the filing. The commissioner  
16 may, upon application and for cause shown, waive such waiting period or  
17 part thereof as to a filing that he or she has not disapproved.

18 (b) A filing shall be deemed to meet the requirements of this

1 chapter unless disapproved by the commissioner within the waiting  
2 period or any extension thereof.

3 (3) A filing made under this chapter that provides for an overall  
4 statewide rate increase of less than ten percent annually in the  
5 aggregate for coverages affected by the filing is not excessive in a  
6 competitive market, and may be made effective the date it is filed. A  
7 market is competitive where two or more authorized insurers are  
8 actively writing new and renewal business on a statewide basis on the  
9 line of insurance stated in the filing. The filing may be disapproved  
10 by the commissioner on a prospective basis under RCW 48.19.120 only on  
11 a showing that the filing is inadequate or unfairly discriminatory.

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